IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS EL PASO DIVISION

BANK OF NEW YORK MELLON	§	
TRUST COMPANY, N.A., NOT IN ITS	§	
INDIVIDUAL CAPACITY BUT	§	
SOLELY AS OWNER TRUSTEE FOR	§	Civil Action No. 3:22-cv-00020
MORTGAGE ASSETS MANAGEMENT	§	
SERIES I TRUST,	§	
	§	
Plaintiff,	§	
v.	§	
	§	
JUANA O. CASTILLO,	§	
	§	
Defendant.	§	

PLAINTIFF'S MOTION TO ABATE CASE

Bank of New York Mellon Trust Company, N.A., not in its individual capacity but solely as Owner Trustee for Mortgage Assets Management Series I Trust ("BNYM" or "Plaintiff") ("Plaintiff"), files this *Motion to Abate Case*, and respectfully shows as follows:

I.

Foreclosure of the property subject to this suit has been placed on hold, as the loan has been approved by the Department of Housing and Urban Development ("HUD") for an At-Risk Extension Hold. This hold has the effect of staying the foreclosure proceedings temporarily until March 29, 2022. As a result, Plaintiff is prohibited from further prosecuting this case at this time under CFPB regulations. *See* 12 CFR §124.41(g).

Plaintiff therefore respectfully requests that this suit and all upcoming deadlines and settings be abated until March 29, 2022.

PLAINTIFF'S MOTION TO ABATE CASE

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that this Court abate this suit and all upcoming settings and deadlines until March 29, 2022, and for such other relief to which it may be justly entitled.

Respectfully submitted,

By: /s/ Vivian N. Lopez

MARK D. CRÔNENWETT

Texas Bar No. 00787303 mcronenwett@mwzmlaw.com

VIVIAN N. LOPEZ

State Bar No. PR20818 vlopez@mwzmlaw.com

MACKIE WOLF ZIENTZ & MANN, P.C.

14160 N. Dallas Parkway, Suite 900 Dallas, Texas 75254 214-635-2650 (Phone) 713-730-3212 (Direct) 214-635-2686 (Fax)

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

The undersigned certifies that Defendant has not filed an answer and/or otherwise appeared in this action. Therefore, a certificate of conference is not necessary.

<u>/s/ Vivian N. Lopez</u> VIVIAN N. LOPEZ

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served on February 2, 2022 as stated below on the following:

Via U.S. Mail

Juana O. Castillo 4831 Betts Drive El Paso, Texas 79938

> /s/ Vivian N. Lopez VIVIAN N. LOPEZ

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